

114TH CONGRESS
1ST SESSION

H. R. 1873

To eliminate the use of the frank for mail transmitted by Members of Congress and Congressional officials, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2015

Mr. WOODALL (for himself, Ms. DUCKWORTH, Mr. BLUMENAUER, Mr. JOYCE, and Mr. RIBBLE) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To eliminate the use of the frank for mail transmitted by Members of Congress and Congressional officials, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ending Special Mail
5 Privileges for Congress Act”.

1 **SEC. 2. REPEAL OF FRANK; REQUIREMENTS RELATING TO**
2 **THE USE OF CONGRESSIONAL MAIL.**

3 (a) REPEAL OF FRANKING PRIVILEGE.—Section
4 3201 of title 39, United States Code, is amended—

5 (1) in paragraph (1), by striking “other than
6 franked mail” and inserting “other than Congres-
7 sional mail subject to section 3210 of this title”; and

8 (2) by striking paragraphs (3) and (4).

9 (b) REQUIREMENTS FOR MAIL TRANSMITTED BY
10 MEMBERS OF CONGRESS AND CONGRESSIONAL OFFI-
11 CIALS.—

12 (1) POLICY AND INTENT OF CONGRESS IN
13 SENDING CONGRESSIONAL MAIL.—Section 3210(a)
14 of such title is amended as follows:

15 (A) In paragraph (1), by striking “as
16 franked mail” and inserting “as Congressional
17 mail”.

18 (B) In paragraph (3)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “which is frank-
21 able” and inserting “which may be sent as
22 Congressional mail”; and

23 (ii) in subparagraph (I), by striking
24 “under the franking privilege” and insert-
25 ing “which is sent as Congressional mail”.

26 (C) In paragraph (4)—

1 (i) by striking “the franking privi-
2 lege” and inserting “the privilege of send-
3 ing Congressional mail”; and

4 (ii) by striking “franked mail” and in-
5 serting “Congressional mail”.

6 (D) In paragraph (5)—

7 (i) in the matter preceding subpara-
8 graph (A), by striking “franked mail” and
9 inserting “Congressional mail”; and

10 (ii) in subparagraph (B)(i), by strik-
11 ing “frankable mail” and inserting “Con-
12 gressional mail”.

13 (E) In paragraph (6), by striking “franked
14 mail” each place it appears in subparagraphs
15 (A) and (C) and inserting “Congressional
16 mail”.

17 (2) AUTHORITY TO SEND CONGRESSIONAL
18 MAIL.—Section 3210(b) of such title is amended—

19 (A) in paragraphs (1) and (3), by striking
20 “franked mail” each place it appears and in-
21 serting “Congressional mail”; and

22 (B) in paragraph (2), by striking “the
23 franking privilege” and inserting “the privilege
24 to send Congressional mail under paragraph
25 (1)”.

1 (3) FORM OF CONGRESSIONAL MAIL.—Section
2 3210(c) of such title is amended—

3 (A) by striking “Franked mail” the first
4 place it appears and inserting “Congressional
5 mail under this section”;

6 (B) by striking “Franked mail” the second
7 place it appears and inserting “Such Congres-
8 sional mail”; and

9 (C) in the second sentence, by striking
10 “franked mail” and inserting “Congressional
11 mail”.

12 (4) FORM OF ADDRESS; REGULATIONS FOR RE-
13 VIEW OF OFFICIAL STATUS OF MAIL.—Section
14 3210(d) of such title is amended—

15 (A) by striking “franked mail” each place
16 it appears in paragraphs (1) through (6) and
17 inserting “Congressional mail”; and

18 (B) in paragraph (7), by striking
19 “Franked mail” and inserting “Congressional
20 mail”.

21 (5) DETERMINATION OF STATUS OF MAIL BY
22 TYPE AND CONTENT.—Section 3210(e) of such title
23 is amended by striking “The frankability of mail
24 matter shall be determined under the provisions of
25 this section” and inserting “The determination as to

1 whether mail matter may be sent as Congressional
2 mail under this section shall be determined”.

3 (6) SOURCE OF FUNDS FOR SENDING MAIL.—
4 Section 3210(f) of such title is amended—

5 (A) by striking “franked mail” and insert-
6 ing “Congressional mail”;

7 (B) by striking “an otherwise frankable
8 mass mailing” and inserting “a mass mailing
9 which otherwise may be sent as Congressional
10 mail”; and

11 (C) by striking “is frankable” and insert-
12 ing “may be sent as Congressional mail”.

13 (7) EXCLUSION OF PAYMENTS FOR CONGRES-
14 SIONAL MAIL FROM TREATMENT AS CAMPAIGN CON-
15 TRIBUTION OR EXPENDITURE.—Section 3210(g) of
16 such title is amended—

17 (A) by striking “franked mail mailed under
18 the frank” and inserting “Congressional mail”;

19 (B) by striking “Congress, and the cost”
20 and inserting “Congress which is mailed under
21 this section, and the cost”; and

22 (C) by striking “such frankable matter for
23 such mailing under the frank” and inserting
24 “such Congressional mail for such mailing”.

1 (8) CONFORMING AMENDMENT TO HEADING.—

2 The heading of section 3210 of such title is amended
3 to read as follows:

4 **“§ 3210. Mail transmitted by Members of Congress**
5 **and congressional officials”.**

6 (c) PAYMENT FOR CONGRESSIONAL MAIL.—

7 (1) PAYMENTS TO POSTAL SERVICE FROM
8 AMOUNTS APPROPRIATED FOR CONGRESSIONAL MAIL
9 COSTS.—Section 3216(a) of such title is amended—

10 (A) in paragraph (1)(A), by striking
11 “under the franking privilege” and inserting
12 “as Congressional mail”;

13 (B) in paragraph (2), by striking “franked
14 mail” and inserting “Congressional mail”, and

15 (C) by striking the last sentence.

16 (2) EXCLUSIVE SOURCE OF PAYMENTS.—Sec-
17 tion 3216(c) of such title is amended by striking
18 “under the frank” and inserting “as Congressional
19 mail which is subject to this section”.

20 (3) DEPOSIT OF FUNDS IMPROPERLY COL-
21 LECTED.—Section 3216(d) of such title is amended
22 by striking “under the franking privilege” and in-
23 serting “as Congressional mail which is subject to
24 this section”.

1 (4) QUARTERLY REPORTS ON PIECES AND
2 COSTS OF CONGRESSIONAL MAIL.—Section
3 3216(e)(1) of such title is amended by striking
4 “franked mail, as defined in section 3201 of this
5 title,” and inserting “Congressional mail which is
6 subject to this section”.

7 (5) CONFORMING AMENDMENT TO HEADING.—
8 The heading of section 3216 of such title is amended
9 to read as follows:

10 **“§ 3216. Payment for Congressional mail”.**

11 (d) REPEAL OF MAILING PRIVILEGES OF SURVIVORS
12 OF MEMBERS OF CONGRESS.—

13 (1) REPEAL.—Section 3218 of such title is re-
14 pealed.

15 (2) CONFORMING AMENDMENT RELATING TO
16 PAYMENT.—Section 3216(a)(1) of such title is
17 amended—

18 (A) by striking “through the mails—” and
19 all that follows through “under the” and insert-
20 ing “through the mails under the”; and

21 (B) by striking subparagraph (B).

22 (3) CONFORMING AMENDMENT RELATING TO
23 ROLE OF HOUSE COMMISSION ON CONGRESSIONAL
24 MAILING STANDARDS.—Section 5(d) of Public Law
25 93–191 (2 U.S.C. 501(d)) is amended—

1 (A) by striking “3218,”; and

2 (B) by striking “(or any individual des-
3 ignated by the Clerk of the House under section
4 3218 of title 39)”.

5 (4) CONFORMING AMENDMENT RELATING TO
6 ROLE OF SELECT COMMITTEE ON STANDARDS AND
7 CONDUCT OF THE SENATE.—Section 6 of Public
8 Law 93–191 (2 U.S.C. 502(a)) is amended—

9 (A) by striking “3218,”; and

10 (B) by striking “, surviving spouse of any
11 of the foregoing,”.

12 (e) MISCELLANEOUS CONFORMING AMENDMENTS.—

13 (1) SHIPMENT BY MOST ECONOMICAL MEANS.—
14 Section 3208 of such title is amended by striking
15 “other than franked mail”.

16 (2) MAILING OF PUBLIC DOCUMENTS AFTER
17 EXPIRATION OF TERMS.—Section 3211 of such title
18 is amended by striking “franked mail” and inserting
19 “Congressional mail”.

20 (3) CONGRESSIONAL RECORD AS CONGRES-
21 SIONAL MAIL.—Section 3212 of such title is amend-
22 ed—

23 (A) by striking “franked mail” each place
24 it appears and inserting “Congressional mail”;
25 and

1 (B) by amending the heading to read as
2 follows:

3 **“§ 3212. Congressional Record as Congressional**
4 **mail”.**

5 (4) MAILING OF SEEDS AND REPORTS FROM
6 THE DEPARTMENT OF AGRICULTURE AFTER EXPIRA-
7 TION OF TERMS.—Section 3213(2) of such title is
8 amended by striking “franked mail” and inserting
9 “Congressional mail”.

10 (5) MAILING PRIVILEGE OF FORMER PRESI-
11 DENT AND SURVIVING SPOUSE.—Section 3214 of
12 such title is amended by striking “franked mail” and
13 inserting “Congressional mail”.

14 (6) LENDING OR PERMITTING USE OF
15 FRANK.—Section 3215 of such title is amended—

16 (A) in the heading, by striking “**Lending**
17 **or permitting use of frank**” and inserting
18 **“Permitting others to send Congres-**
19 **sional mail”**; and

20 (B) by amending the first sentence to read
21 as follows: “A person entitled to send Congres-
22 sional mail under this chapter may not permit
23 the sending of such mail by any committee, or-
24 ganization, or association, or permit the sending
25 of such mail by any person for the benefit or

1 use of any committee, organization, or associa-
 2 tion.”

3 (7) TREATMENT OF CERTAIN MAILGRAMS AS
 4 CONGRESSIONAL MAIL.—Section 3219 of such title
 5 is amended by striking “franked mail” both places
 6 it appears and inserting “Congressional mail”.

7 (8) USE OF CONGRESSIONAL MAIL IN THE LO-
 8 CATION AND RECOVERY OF MISSING CHILDREN.—
 9 Section 3220 of such title is amended—

10 (A) in the heading, by striking “**official**”
 11 and inserting “**Congressional**”; and

12 (B) in subsection (b), by striking “franked
 13 mail” and inserting “Congressional mail”.

14 (f) CLERICAL AMENDMENTS.—(1) The chapter head-
 15 ing and table of sections at the beginning of chapter 32
 16 of such title are amended to read as follows:

17 **“CHAPTER 32—PENALTY AND**
 18 **CONGRESSIONAL MAIL**

“Sec.

“3201. Definitions.

“3202. Penalty mail.

“3203. Endorsements on penalty covers.

“3204. Restrictions on use of penalty mail.

“3205. Accounting for penalty covers.

“3206. Reimbursement for penalty mail service.

“3207. Limit of weight of penalty mail; postage on overweight matter.

“3208. Shipment by most economical means.

“3209. Executive departments to supply information.

“3210. Mail transmitted by Members of Congress and congressional officials.

“3211. Public documents.

“3212. Congressional Record as Congressional mail.

“3213. Seeds and reports from Department of Agriculture.

“3214. Mailing privilege of former President; surviving spouse of former Presi-
 dent.

“3215. Permitting others to send Congressional mail unlawful.

“3216. Payment for Congressional mail.

“3217. Correspondence of members of diplomatic corps and consuls of countries of Postal Union of Americas and Spain.

“3218. [repealed].

“3219. Mailgrams.

“3220. Use of Congressional mail in the location and recovery of missing children.”.

1 (2) The item in the table of chapters at the beginning
2 of part IV of such title is amended to read as follows:

“32. Penalty and Congressional mail 3201”.

3 **SEC. 3. CONFORMING AMENDMENTS RELATING TO OPER-**
4 **ATION OF CONGRESS.**

5 (a) STANDARDS FOR MASS MAILINGS BY SEN-
6 ATORS.—

7 (1) REQUIRING MASS MAILINGS TO MEET
8 STANDARDS FOR CONGRESSIONAL MAIL.—Section 5
9 of the Legislative Branch Appropriations Act, 1995
10 (39 U.S.C. 3210 note) is amended by striking
11 “under the frank” and inserting “mailed as Con-
12 gressional mail under chapter 32 of title 39, United
13 States Code”.

14 (2) STANDARDS.—Section 6 of such Act (39
15 U.S.C. 3210 note) is amended—

16 (A) in subsection (a), by striking “the
17 franking privilege” and inserting “Congres-
18 sional mail”; and

19 (B) in subsection (c), by striking “under
20 the frank” and inserting “as Congressional mail

1 under chapter 32 of title 39, United States
2 Code”.

3 (b) CONGRESSIONAL REGULATIONS REGARDING USE
4 OF FUNDS FOR CONGRESSIONAL MAIL.—Section 311 of
5 the Legislative Branch Appropriations Act, 1991 (2
6 U.S.C. 503) is amended—

7 (1) in subsection (a), by striking “entitled to
8 use the congressional frank” each place it appears
9 and inserting “entitled to send Congressional mail”;

10 (2) in subsection (a)(3), by striking “the frank”
11 and inserting “Congressional mail under chapter 32
12 of title 39, United States Code”;

13 (3) in subsection (b)(1), by striking “entitled to
14 use the congressional frank” and inserting “entitled
15 to send Congressional mail”;

16 (4) in subsection (b)(3), by striking “official
17 mail” and inserting “Congressional mail under chap-
18 ter 32 of title 39, United States Code,”;

19 (5) in subsection (c), by striking “official mail”
20 and inserting “Congressional mail under chapter 32
21 of title 39, United States Code,”;

22 (6) in subsection (d), by striking “franked
23 mail” and inserting “Congressional mail under chap-
24 ter 32 of title 39, United States Code,”;

25 (7) in subsection (e)—

1 (A) by striking “official mail” each place it
2 appears and inserting “Congressional mail
3 under chapter 32 of title 39, United States
4 Code,” and

5 (B) by striking “entitled to use the con-
6 gressional frank” each place it appears and in-
7 serting “entitled to send Congressional mail”;
8 and

9 (8) by amending subsection (g)(2) to read as
10 follows:

11 “(2) the term ‘person entitled to send Congres-
12 sional mail’ means a Senator, Member of the House
13 of Representatives, or other person authorized to
14 send Congressional mail under section 3210(b) of
15 title 39, United States Code.”.

16 (c) GUIDANCE ON APPROPRIATE USE OF CONGRES-
17 SIONAL MAIL.—

18 (1) HOUSE COMMISSION ON CONGRESSIONAL
19 MAILING STANDARDS.—Section 5 of Public Law 93–
20 191 (2 U.S.C. 501) is amended—

21 (A) in subsection (d)—

22 (i) by striking “franked mail” each
23 place it appears and inserting “Congres-
24 sional mail”, and

1 (ii) by striking “the franking privi-
2 lege” and inserting “the privilege to send
3 Congressional mail”; and

4 (B) in subsection (e)—

5 (i) in the first sentence, by striking
6 “franked mail” and inserting “Congres-
7 sional mail”, and

8 (ii) in the tenth sentence, by striking
9 “franking laws” and all that follows
10 through “franked mail” and inserting “or
11 abuse of the Congressional mailing laws by
12 any person listed under subsection (d) of
13 this section as entitled to send mail as
14 Congressional mail”.

15 (2) SELECT COMMITTEE ON STANDARDS AND
16 CONDUCT OF THE SENATE.—Section 6 of Public
17 Law 93–191 (2 U.S.C. 502) is amended—

18 (A) in subsection (a)—

19 (i) by striking “franked mail” both
20 places it appears and inserting “Congres-
21 sional mail”, and

22 (ii) by striking “the franking privi-
23 lege” and inserting “Congressional mail”;
24 and

1 (B) in subsection (c), by striking “franking
2 laws” and all that follows through “franked
3 mail” and inserting “or abuse of the Congres-
4 sional mailing laws by any person listed under
5 subsection (a) of this section as entitled to send
6 mail as Congressional mail”.

7 (d) MISCELLANEOUS CONFORMING AMENDMENTS
8 RELATING TO HOUSE OF REPRESENTATIVES.—

9 (1) MAIL PRIVILEGES OF FORMER SPEAKERS.—
10 Section 4 of House Resolution 1238, Ninety-first
11 Congress, as enacted into permanent law by chapter
12 VIII of the Supplemental Appropriations Act, 1971
13 (2 U.S.C. 5127), is amended by striking “franked
14 mail” each place it appears and inserting “Congres-
15 sional mail”.

16 (2) TRANSPORTATION OF OFFICIAL RECORDS
17 AND PAPERS TO HOUSE MEMBER’S DISTRICT.—Sec-
18 tion 2(2) of House Resolution 1297, Ninety-fifth
19 Congress, as enacted into permanent law by section
20 111(1) of the Congressional Operations Appropria-
21 tions Act, 1984 (2 U.S.C. 5346(b)(2)), is amended
22 by striking “franked mail” and inserting “Congres-
23 sional mail under chapter 32 of title 39, United
24 States Code”.

1 (3) MAIL PRIVILEGES OF HOUSE LEGISLATIVE
2 COUNSEL.—Section 525 of the Legislative Reorga-
3 nization Act of 1970 (2 U.S.C. 282d) is amended by
4 striking “franked mail” and inserting “Congres-
5 sional mail”.

6 (e) MISCELLANEOUS CONFORMING AMENDMENTS
7 RELATING TO SENATE.—

8 (1) SENATORS’ OFFICIAL PERSONNEL AND OF-
9 FICE EXPENSE ACCOUNT.—Subsection (a)(6) of the
10 first section of Public Law 100–137 (2 U.S.C.
11 6313(6)) is amended by striking “the payment of
12 franked mail expenses of Senators” and inserting
13 “the payment of expenses of Senators for Congres-
14 sional mail under chapter 32 of title 39, United
15 States Code”.

16 (2) CONTINGENT FUND OF THE SENATE.—Sec-
17 tion 506(a)(3) of the Supplemental Appropriations
18 Act, 1973 (2 U.S.C. 6314(a)3)) is amended by strik-
19 ing “(B) postage on” and all that follows through
20 “and (C)”.

21 (3) TRANSPORTATION OF OFFICIAL RECORDS
22 AND PAPERS TO A SENATOR’S STATE.—Section 7(d)
23 of the Legislative Branch Appropriations Act, 2005
24 (2 U.S.C. 6319(d)) is amended by striking “franked

1 mail” and inserting “Congressional mail under chap-
2 ter 32 of title 39, United States Code”.

3 (4) MASS MAILING INFORMATION BY SEN-
4 ATORS.—Section 320 of the Legislative Branch Ap-
5 propriations Act, 1991 (2 U.S.C. 505) is amended
6 by striking “under the frank” and inserting “as
7 Congressional mail”.

8 (5) INQUIRIES AND INVESTIGATIONS BY SEN-
9 ATE COMMITTEES.—Section 6(b) of the Legislative
10 Branch Appropriations Act, 1998 (2 U.S.C. 4334) is
11 amended by striking “franked mail expenses” and
12 inserting “expenses for Congressional mail under
13 chapter 32 of title 39, United States Code”.

14 **SEC. 4. CONFORMING AMENDMENTS RELATING TO RE-**
15 **SPONSIBILITIES OF GOVERNMENT PUB-**
16 **LISHING OFFICE.**

17 (a) TIME FOR DISTRIBUTION OF DOCUMENTS BY
18 MEMBERS OF CONGRESS.—Section 732 of title 44, United
19 States Code, is amended by striking “to frank documents”
20 and inserting “to send documents as Congressional mail
21 under chapter 32 of title 39”.

22 (b) DOCUMENTS AND REPORTS ORDERED BY MEM-
23 BERS OF CONGRESS.—Section 733 of such title is amend-
24 ed—

1 (1) in the heading, by striking “**franks and**”;
 2 and

3 (2) by striking the second and third undesig-
 4 nated paragraphs.

5 (c) MAILING CONGRESSIONAL RECORD.—Section
 6 907 of such title is amended by striking “franked mail”
 7 and inserting “Congressional mail”.

8 (d) CLERICAL AMENDMENT.—The table of sections
 9 for chapter 7 of such title is amended by amending the
 10 item relating to section 733 to read as follows:

“733. Documents and reports ordered by Members of Congress; envelopes for
 Members of Congress.”.

11 **SEC. 5. EFFECTIVE DATE; REGULATIONS.**

12 (a) EFFECTIVE DATE.—The amendments made by
 13 this Act shall apply with respect to matter mailed during
 14 the second session of the One Hundred Fourteenth Con-
 15 gress and each succeeding session of each succeeding Con-
 16 gress.

17 (b) REGULATIONS.—In consultation with the United
 18 States Postal Service, the Committee on House Adminis-
 19 tration of the House of Representatives and the Com-
 20 mittee on Rules and Administration of the Senate shall
 21 each revise the regulations governing the treatment of offi-
 22 cial mail of the House or Senate (as the case may be)
 23 to take into account the amendments made by this Act.

